

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JAIME TORRES,)
)
Defendant.)

4:00CR3008

**MEMORANDUM
AND ORDER**

I will deny the “Motion for Reduction of Sentence Pursuant to [18 U.S.C. § 3582\(c\)](#)” (filing [73](#)) because the defendant does not fit within the categories covered by that statute. I also note that the defendant has previously filed an unsuccessful § 2255 motion (filings [50](#), [53](#), [54](#)) and the Court of Appeals denied the defendant’s application for a certificate of appealability. (Filings [63](#) and [64](#).) In addition, I observe that the Court of Appeals earlier denied the defendant’s petition for authorization to file a successive post-conviction motion. (Filings [71](#) and [72](#).) Accordingly,

IT IS ORDERED that the defendant’s “Motion for Reduction of Sentence Pursuant to 18 U.S.C. § 3582(c)” (filing [73](#)) is denied.

January 8, 2009.

BY THE COURT:

s/Richard G. Kopf
United States District Judge